

Exhibit 7

United States of America ex rel. Ven-A-Care of the Florida Keys, Inc., et al.
v. Dey, Inc., et al., Civil Action No. 05-11084-PBS

**Exhibit to the March 10, 2010 Declaration of Sarah L. Reid in Support of Dey
Defendants' Response to Plaintiffs' Motion Concerning The Use of Depositions**

1 UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF MASSACHUSETTS

3 -----X

4 IN RE: PHARMACEUTICAL MDL NO. 1456

5 INDUSTRY AVERAGE WHOLESALE CIVIL ACTION

6 PRICE LITIGATION 01-CV-12257-PBS

7 Judge Patti B. Saris

8 THIS DOCUMENT RELATES TO Subcategory No: 03-10643

9 THE CONSOLIDATED NEW YORK

10 COUNTY ACTIONS

11 -----X

12 (cross caption appear on following page)

13
14 Videotaped Deposition of MARK-RICHARD BUTT

15 Volume I

16 Albany, NY

17 Tuesday, January 26, 2010

18 10:00 a.m.

1 deposition.

2 Q. So sometime prior to Friday?

3 A. Right.

4 Q. Okay. And where was that meeting?

5 A. That would have been in the same building,
6 the Justice Building.

7 Q. And do you recall how long that meeting
8 lasted?

9 A. It might have been most of a day or took
10 breaks. I went back to the office for a couple of
11 hours in the middle to do other assignments.

12 Q. And then went back to the Justice Building?

13 A. Um-hmm.

14 Q. And who was present for this second meeting?

15 A. Miss Wendel was present. I believe Mr.
16 Draycott might have been present. I believe Miss
17 McCloskey was not present at that one. Miss Cicala
18 was probably -- I think she was present. I'm not
19 positive, but, yeah, I think she was.

20 Q. Anyone else that you recall?

21 A. I don't recall. I believe that was -- I
22 don't remember anyone else.

1 Q. Okay, Mr. McGowan was not present for that?

2 A. No, he was not present at any more of the
3 meetings.

4 Q. And did you continue to review documents
5 during this meeting?

6 A. I was shown documents.

7 Q. Who were you shown documents by?

8 A. Miss Wendel.

9 Q. Did Miss Cicala show you any documents?

10 A. Yes, she did.

11 Q. Do you recall what documents she showed you?

12 MS. WENDEL: Objection. Instruct him not to
13 answer.

14 A. No, I don't.

15 Q. Are you going to follow your lawyer's advice
16 and not answer that question?

17 MS. WENDEL: You can answer yes or no if you
18 recall the documents.

19 A. Would you ask the question again, please?

20 Q. Sure. What were the documents that Miss
21 Cicala showed you?

22 MS. WENDEL: You're instructed not to

1 answer. Invades the attorney/client privilege.

2 MS. TORGERSON: Okay, so you're instructing
3 the witness not to answer?

4 MS. WENDEL: Not to answer the question of
5 what documents she showed him.

6 BY MS. TORGERSON:

7 Q. And you're following your lawyer's advice?

8 A. Yes.

9 Q. What did Miss Cicala say during this second
10 meeting?

11 MS. WENDEL: Objection. Instruct him not to
12 answer.

13 BY MS. TORGERSON:

14 Q. Are you following your lawyer's advice and
15 not going to answer that question, Mr. Butt?

16 A. Yes.

17 MS. WENDEL: The basis of the objection is
18 attorney/client privilege.

19 BY MS. TORGERSON:

20 Q. What did Mr. Draycott say in that meeting?

21 MS. WENDEL: Objection. Objection.

22 MS. TORGERSON: Are you instructing --

1 MS. WENDEL: I instruct him not to answer
2 based on attorney/client privilege.

3 BY MS. TORGERSON:

4 Q. Mr. Butt, your lawyer has instructed you not
5 to answer the question of what Mr. Draycott said in
6 that meeting; are you going to follow your lawyer's
7 advice?

8 A. Yes.

9 Q. What do you recall Miss Wendel said in that
10 meeting?

11 MS. WENDEL: Objection. Same objection,
12 instruct him not to answer.

13 BY MS. TORGERSON:

14 Q. Mr. Butt, your lawyer has instructed you not
15 to answer the question of what Miss Wendel said in
16 this second meeting when Mr. Draycott and Miss Cicala
17 were also present. Are you going to follow your
18 lawyer's advice?

19 A. Yes.

20 Q. At any point in this second meeting or
21 following this second meeting, did you take any
22 documents with you to review later?